

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	0

MR. SPEAKER:

*Your Committee on Rules and Legislative Procedures, to which was referred Senate Bill 123, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 2-2.1-3-2 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]:
- 5 Sec. 2. (a) Not later than seven (7) calendar days following the first
- 6 session day in January of each year every member of the general
- 7 assembly shall file with the principal clerk of the house or secretary of
- 8 the senate, respectively, a written statement of the member's or
- 9 candidate's economic interests for the preceding calendar year listing
- 10 the following:
- 11 (1) The name of the member's or candidate's employer and the
- 12 employer of the member's or candidate's spouse and the nature of
- 13 the employer's business. The house of representatives and senate
- 14 need not be listed as an employer.
- 15 (2) The name of any sole proprietorship owned or professional
- 16 practice operated by the member or candidate or the member's or

1 candidate's spouse and the nature of the business.

2 (3) The name of any partnership of which the member or
3 candidate or the member's or candidate's spouse is a member and
4 the nature of the partnership's business.

5 (4) The name of any corporation of which the member or
6 candidate or the member's or candidate's spouse is an officer or
7 director and the nature of the corporation's business. Churches
8 need not be listed.

9 (5) The name of any corporation in which the member or
10 candidate or the member's or candidate's spouse or
11 unemancipated children own stock or stock options having a fair
12 market value in excess of ten thousand dollars (\$10,000). No time
13 or demand deposit in a financial institution or insurance policy
14 need be listed.

15 (6) The name of any state agency or the supreme court of Indiana
16 which licenses or regulates the following:

17 (A) The member's or candidate's or the member's or
18 candidate's spouse's profession or occupation.

19 (B) Any proprietorship, partnership, corporation, or limited
20 liability company listed under subdivision (2), (3), or (4) and
21 the nature of the licensure or regulation.

22 The requirement to file certain reports with the secretary of state
23 or to register with the department of state revenue as a retail
24 merchant, manufacturer, or wholesaler shall not be considered as
25 licensure or regulation.

26 (7) The name of any person whom the member or candidate
27 knows to have been a lobbyist in the previous calendar year and
28 knows to have purchased any of the following:

29 (A) From the member or candidate, the member's or
30 candidate's sole proprietorship, or the member's or candidate's
31 family business, goods or services for which the lobbyist paid
32 in excess of one hundred dollars (\$100).

33 (B) From the member's or candidate's partner, goods or
34 services for which the lobbyist paid in excess of one thousand
35 dollars (\$1,000).

36 **This subdivision does not apply to purchases made after**
37 **December 31, 1998, by a lobbyist from a legislator's retail**
38 **business made in the ordinary course of business at prices that**

are available to the general public.

(8) The name of any person or entity from whom the member or candidate received the following:

(A) Any gift of cash from a lobbyist.

(B) Any single gift other than cash having a fair market value in excess of one hundred dollars (\$100).

However, a contribution made by a lobbyist to a charitable organization (as defined in Section 501(c) of the Internal Revenue Code) in connection with a social or sports event attended by legislators need not be listed by a member of the general assembly unless the contribution is made in the name of the legislator.

(C) Any gifts other than cash having a fair market value in the aggregate in excess of two hundred fifty dollars (\$250).

Campaign contributions need not be listed. Gifts from a spouse or close relative need not be listed unless the donor has a substantial economic interest in a legislative matter.

(9) The name of any lobbyist who is:

(A) a member of a partnership or limited liability company;

(B) an officer or a director of a corporation; or

(C) a manager of a limited liability company;

of which the member or candidate for the general assembly is a partner, an officer, a director, a member, or an employee, and a description of the legislative matters which are the object of the lobbyist's activity.

(10) The name of any person or entity on whose behalf the member or candidate has appeared before, contacted, or transacted business with any state agency or official thereof, the name of the state agency, the nature of the appearance, contact, or transaction, and the cause number, if any. This requirement does not apply when the services are rendered without compensation.

(11) The name of any limited liability company of which the member of the general assembly, the candidate, or the member's or candidate's individual spouse has an interest.

(b) Before any person, who is not a member of the general assembly files the person's declaration of candidacy, declaration of intent to be a write-in candidate, or petition of nomination for office or is selected as a candidate for the office under IC 3-13-1 or IC 3-13-2, the person shall file with the clerk of the house or secretary of the senate,

1 respectively, the same written statement of economic interests for the
 2 preceding calendar year that this section requires members of the
 3 general assembly to file.

4 (c) Any member of or candidate for the general assembly may file
 5 an amended statement upon discovery of additional information
 6 required to be reported."

7 Page 2, line 34, after "labor" insert "**and pensions**".

8 Page 2, delete line 36.

9 Page 2, line 37, delete "(15)" and insert "**(14)**".

10 Page 2, line 38, delete "(16)" and insert "**(15)**".

11 Page 2, line 38, delete "public safety." and insert "**the**
 12 **environment.**".

13 Page 2, line 39, delete "(17)" and insert "**(16)**".

14 Page 2, line 41, delete "(18)" and insert "**(17)**".

15 Page 3, line 1, delete "(19)" and insert "**(18)**".

16 Page 3, line 9, delete "of the" and insert "**of a**".

17 Page 3, line 17, delete "the" and insert "**a**".

18 Page 3, line 27, delete "The members" and insert "**The two (2)**
 19 **members**".

20 Page 3, line 28, delete "either".

21 Page 3, line 28, delete "or the" and insert "**and the two (2)**
 22 **members appointed by the**".

23 Page 4, line 13, delete "3(10)" and insert "**3(9)**".

24 Page 4, line 16, delete "3(11) through 3(20)" and insert "**3(10)**
 25 **through 3(18)**".

26 Page 4, line 28, delete "3(11)" and insert "**3(10)**".

27 Page 4, line 29, delete "3(20)" and insert "**3(18)**".

28 Page 4, line 32, delete "3(10)" and insert "**3(9)**".

29 Page 5, between lines 32 and 33, begin a new paragraph and insert:

30 "SECTION 4. IC 2-7-3-6 IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]: Sec. 6. (a) A
 32 lobbyist shall file a written report with respect to a member of the
 33 general assembly whenever either of the following occurs:

34 (1) The lobbyist has made a purchase described in
 35 IC 2-2.1-3-2(a)(7) with respect to that member. **This subdivision**
 36 **does not apply to purchases made after December 31, 1998, by**
 37 **a lobbyist from a legislator's retail business made in the**
 38 **ordinary course of business at prices that are available to the**

- 1 **general public.**
- 2 (2) The lobbyist has made a gift described in IC 2-2.1-3-2(a)(8)
- 3 to that member.
- 4 (b) A report required by subsection (a) must state the following:
- 5 (1) The name of the lobbyist.
- 6 (2) Whether the report covers a purchase described in
- 7 IC 2-2.1-3-2(a)(7) or a gift described in IC 2-2.1-3-2(a)(8).
- 8 (c) A lobbyist shall file a copy of a report required by this section
- 9 with both of the following:
- 10 (1) The commission.
- 11 (2) The member of the general assembly with respect to whom the
- 12 report is made.
- 13 (d) A lobbyist shall file a report required by subsection (a) not more
- 14 than thirty (30) days after making the purchase or giving the gift."
- 15 Page 6, line 20, after "commission" insert ".".
- 16 Page 6, line 20, delete "(before its repeal in 1999).".
- 17 Page 7, delete lines 18 through 22.
- 18 Page 8, delete lines 37 through 40.
- 19 Page 11, delete lines 29 through 42.
- 20 Page 12, delete lines 1 through 34.
- 21 Page 12, delete line 42.
- 22 Page 13, delete lines 1 through 16.
- 23 Page 13, delete lines 23 through 42.
- 24 Delete pages 14 through 15.
- 25 Page 16, delete lines 1 through 7.
- 26 Page 17, line 7, delete "IC 2-5-1.1-10;".
- 27 Page 17, line 9, delete "IC 4-22-8-11;".

- 1 Page 17, line 13, before "P.L.251-1996," insert "P.L.248-1996,
- 2 SECTION 1;".
- 3 (Renumber all SECTIONS consecutively.)
 (Reference is to SB 123 as reprinted February 24, 1999.)

and when so amended that said bill do pass.

Representative Moses